

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1373

House Bill No. 307*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-130(b), is amended by deleting the language "up to one (1) class period during each school week" and substituting instead the language "no more than one (1) class period per school day".

SECTION 2. Tennessee Code Annotated, Section 49-2-130, is amended by adding the following as a new subsection:

(g)

(1) A local board of education may adopt a policy to award students credit for work completed in a released time course that is substantiated by a transcript from the entity that provided the released time course. If a board adopts a policy in accordance with this subsection (g), then a student may be awarded one-half (1/2) unit of elective credit for the completion of each released time course.

(2) In order to determine whether elective credit may be awarded for the student's completion of a released time course, the local board of education shall evaluate the course in a neutral manner that does not involve any test for religious content or denominational affiliation. For purposes of this subsection (g), the secular criteria used to evaluate a released time course may include:

(A) The amount of classroom instruction time;

(B) The course syllabus, which reflects the course requirements and any materials used in the course;

(C) Methods of assessment used in the course; and



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(D) Whether the course was taught by an instructor licensed pursuant to chapter 5 of this title.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.

House Curriculum, Testing, & Innovation Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 809

House Bill No. 953*

by deleting the language "MyRoad™ provided by the College Board" from subsection (a) in the amendatory language of Section 1 and substituting instead the language "the College Board Career Finder".



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Amendment No. _____

Signature of Sponsor

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Date _____

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Comm. Amdt. _____

AMEND Senate Bill No. 801

House Bill No. 945*

by deleting all language after the enacting clause and substituting instead the following:

WHEREAS, Tennessee is one of the nation's leading agricultural states and benefits from an annual economic impact of more than \$57 billion generated from agriculture; and

WHEREAS, national trends continue to show a decline in the number of young farmers and ranchers entering the agricultural workforce; and

WHEREAS, our national security and economic security as a State and a nation require a prosperous agricultural industry; and

WHEREAS, our education system's renewed focus on career and technical education must reflect the value and opportunity of careers in agriculture; and

WHEREAS, the agricultural industry will continue to undergo rapid technological change and innovation, presenting opportunities for Tennessee to lead the nation in agricultural progress; and

WHEREAS, this State recognizes the importance of agriculture to our everyday lives and sharing the message of how agriculture contributes to our strong economy through the production of safe, abundant, and affordable food and fiber products and renewable energy, and the creation of job opportunities; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 11, is amended by adding the following as a new, appropriately designated section:

(a) For the purpose of encouraging and promoting agricultural education opportunities and agricultural education programs in public schools that prepare students for successful careers and informed choices relating to opportunities in



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agriculture-related employment and higher education by providing instruction and developing skills in relevant areas through integrated classroom and lab instruction, supervised agricultural experiences, leadership experiences, and involvement in student organizations, there is established a task force to be known as the "Agriculture Education and Youth Participation Task Force".

(b) The task force shall consist of the following nine (9) members:

(1) One (1) agricultural industry representative, advocate, or educator appointed by the governor, who shall serve as chair of the task force;

(2) The commissioner of education or the commissioner of education's designee;

(3) The commissioner of agriculture or the commissioner of agriculture's designee;

(4) One (1) faculty or staff member at a community college or college of applied technology governed by the board of regents with expertise in agribusiness or agricultural education, appointed by the chancellor of the board of regents;

(5) One (1) University of Tennessee faculty member with expertise in agricultural economics, to be appointed by the president of the University of Tennessee;

(6) One (1) Tennessee State University faculty member with expertise in agribusiness or agricultural education, to be appointed by the president of Tennessee State University;

(7) One (1) agricultural educator or Future Farmers of America representative, to be appointed by the speaker of the senate;

(8) One (1) agricultural educator or 4-H representative, to be appointed by the speaker of the house of representatives; and

(9) One (1) agricultural educator, to be appointed by the governor.

(c) The task force shall analyze and make recommendations on the following:

- (1) The agricultural education mission in Tennessee;
- (2) Agricultural education structure and delivery in Tennessee;
- (3) The skills and credentials in demand in Tennessee's agricultural sector;
- (4) Emerging fields in agriculture and the training and knowledge required for advancement in those fields;
- (5) The impact of new technologies on agribusiness;
- (6) The impact of agricultural extracurricular participation on outcomes for youth;
- (7) Aligning the investment in STEM education with the agricultural education mission; and
- (8) Integrating agricultural education and agricultural career readiness goals into the Tennessee Pathways initiative.

(d) The task force shall complete its analysis and deliver a report containing its findings and recommendations to the governor and the general assembly no later than February 1, 2020.

(e) The task force shall meet upon the call of the chair.

(f) The department of education shall provide necessary administrative support for the task force. The chair of the task force may call on relevant state agencies for assistance in the task force's work.

(g) The members of the task force shall serve without compensation but are entitled to reimbursement of any travel expenses incurred. All reimbursement for travel shall be provided in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(h) The task force shall terminate and cease to exist upon delivery of the task force's report to the governor and the general assembly containing its findings and recommendations required by this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 796

House Bill No. 940*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-13-104(3), is amended by deleting the language "chartering authority that outlines the responsibilities" and substituting instead the language "authorizer that outlines the rights, responsibilities,".

SECTION 2. Tennessee Code Annotated, Section 49-13-104(4), is amended by deleting the subdivision in its entirety and substituting instead the following:

(4) "Charter management organization" or "CMO" means a nonprofit entity that manages or operates two (2) or more charter schools;

SECTION 3. Tennessee Code Annotated, Section 49-13-104(5), is amended by deleting the subdivision in its entirety.

SECTION 4. Tennessee Code Annotated, Section 49-13-104(9), is amended by deleting the language "has received a license to teach in the public school system" and substituting instead the language "holds a valid Tennessee educator license".

SECTION 5. Tennessee Code Annotated, Section 49-13-104(12), is amended by deleting the subdivision in its entirety and substituting instead the following:

(12) "Sponsor" means a proposed governing body filing an application for the establishment of a public charter school; provided, however, that a sponsor shall not be a for-profit entity; a nonpublic school as defined in § 49-6-3001; other private, religious, or church school; or a postsecondary institution not regionally accredited; and shall not promote the agenda of any religious denomination or religiously affiliated entity;

SECTION 6. Tennessee Code Annotated, Section 49-13-104(13), is amended by deleting the subdivision in its entirety and substituting instead the following:



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(13) "Underutilized or vacant property" means an entire property or portion thereof, with or without improvements, that has an occupancy rate below fifty-five percent (55%) as determined by the state fire marshal, or is not used, or is used irregularly or intermittently, by the LEA for instructional or program purposes.

"Underutilized or vacant property" does not include real property on which no building or permanent structure has been erected.

SECTION 7. Tennessee Code Annotated, Section 49-13-104, is amended by adding the following language as new, appropriately designated subdivisions and redesignating the existing subdivisions accordingly:

() "Authorizer" means:

(A) A local board of education, the Tennessee public charter school commission, or the achievement school district as defined in § 49-1-614, that makes decisions regarding approval, renewal, and revocation of a public charter school application or agreement; and

(B) Includes the state board of education until June 30, 2021;

() "Commission" means the Tennessee public charter school commission;

SECTION 8. Tennessee Code Annotated, Section 49-13-105, is amended by deleting the section in its entirety and substituting instead the following:

(a) There is established the Tennessee public charter school commission as an independent state entity for the purpose of serving as a charter school authorizer and the LEA for any public charter school it authorizes. Beginning in the 2020-2021 school year, the commission has the authority to authorize public charter schools to operate within the geographic boundaries of any LEA and to hear appeals in accordance with this chapter. The commission may adopt policies and procedures for the commission and the commission's authorized charter schools.

(b) The commission shall be composed of nine (9) members. All members shall be appointed by the governor and are subject to confirmation by the senate and the house of representatives. Appointments shall be effective until adversely acted upon by

the senate and the house of representatives. Members of the commission shall continue to serve until the members' successors are appointed and confirmed.

(c) The commission members must collectively possess experience and expertise in charter schools or charter school authorizing, public and nonprofit governance, finance, law, and school or school district leadership. There must be at least one (1) member from each grand division of the state serving on the commission.

(d) The terms for all initial members begin on July 1, 2019. The terms of the initial nine (9) appointments shall be three (3) years for three (3) members, four (4) years for three (3) members, and five (5) years for three (3) members, as designated by the governor in the governor's appointments. As the terms for the initial members expire, successors shall be appointed for five-year terms.

(e) Each member of the commission shall sign a conflict of interest agreement in which they agree to review charter school applications and to hear appeals in a fair and impartial manner.

(f) A member of the commission may be removed by the governor for failure to perform the duties of the appointment. Whenever a vacancy on the commission exists, the governor shall appoint a member for the remainder of the unexpired term in the same manner as the original appointment. A member of the commission shall abstain from any vote that involves an LEA or charter school of which the member is an employee or a member of the local board of education or the governing body.

(g) The commission shall meet at least quarterly. The chair may call special meetings whenever necessary for the transaction of urgent business. The chair shall notify each member of the commission of any special meeting before the time fixed for the special meeting. A majority of the commission may petition the chair to call a special meeting.

(h) A quorum of the members shall be necessary to transact business. The commission shall comply with the open meetings law, compiled in title 8, chapter 44, and open records law, compiled in title 10, chapter 7.

(i) The chair and vice chair are officers of the board and must be elected by the members of the board for a term of three (3) years. Officers may be reelected.

(j) A commission member shall not receive compensation but shall be reimbursed for expenses incurred in the performance of official duties in accordance with the state comprehensive travel regulations as promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(k)

(1) The commission shall employ a director of schools who has the same duties and powers granted to directors of schools in § 49-2-301, consistent with this chapter. An employee or official of any department, agency, or board of this state shall not serve as a director of schools. The director of schools shall be responsible solely to the commission.

(2) Additional personnel hired by the director of schools shall be subject to personnel regulations and policies that apply to state employees in general, such as leave, compensation, classification, and travel regulations. The director of schools has the sole authority to appoint, terminate, and control staff employees as provided in this section. The employees of the commission shall not have state service status.

(l) Notwithstanding any law to the contrary, the commission shall, at a minimum, have the same authority and autonomy afforded to LEAs under state law regarding the procurement of goods and services, including, but not limited to, personal, professional, consulting, and social services. The commission shall develop written procedures for the procurement of all goods and services in compliance with the expenditure thresholds for competitive bidding outlined or permitted in § 49-2-203.

(m) The commission may promulgate rules and regulations that are solely necessary for the administrative operation and functions of the commission; however, this authority shall not supersede the state board of education's rulemaking authority and may only be exercised in performance of the commission's administrative

responsibilities. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(n) The commission shall submit an annual authorizing report to the department pursuant to § 49-13-120.

SECTION 9. Tennessee Code Annotated, Section 49-13-106(a)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) Public charter schools may be formed to provide quality educational options for all students residing within the jurisdiction of the authorizer.

SECTION 10. Tennessee Code Annotated, Section 49-13-106(a)(2)(B), is amended by deleting the subdivision in its entirety.

SECTION 11. Tennessee Code Annotated, Section 49-13-106(a)(3), is amended by deleting the subdivision in its entirety.

SECTION 12. Tennessee Code Annotated, Section 49-13-106(b), is amended by deleting subdivisions (1)-(3) in their entireties.

SECTION 13. Tennessee Code Annotated, Section 49-13-106(c), is amended by deleting the subsection in its entirety.

SECTION 14. Tennessee Code Annotated, Section 49-13-106, is amended by adding the following language as new subsections (a)-(e) and redesignating the existing subsections accordingly:

(a) Public charter schools are part of the state program of public education.

(b) A charter shall not be granted to a for-profit corporation.

(c) A nonpublic school, as defined in § 49-6-3001, or other private, religious, or church school, shall not establish a public charter school pursuant to this chapter.

(d) A cyber-based public charter school shall not be authorized.

(e) A public charter school shall not charge tuition; provided, however, that tuition may be charged if the governing body of the charter school approves a student's transfer from another district to a public charter school in its district pursuant to § 49-6-3003.

SECTION 15. Tennessee Code Annotated, Section 49-13-106, is amended by adding the following language as new, appropriately designated subsections:

() Sponsors may apply to the local board of education or the commission to establish a new public charter school.

()

(1) Sponsors may apply to the local board of education for conversion of an existing public school to a public charter school.

(2) Local boards of education may request that a sponsor apply to convert an existing public school to a public charter school. Upon a local board of education's review of a sponsor's application for a new public charter school, the board may request that the sponsor amend the application to provide for the conversion of an existing public school.

(3) An existing public school may convert to a public charter school pursuant to this chapter if the parents of at least sixty percent (60%) of the children enrolled in the school, or at least sixty percent (60%) of the teachers assigned to the school, support the conversion and demonstrate such support by signing a petition seeking conversion, and if the LEA approves the application for conversion. The percentage of parents signing a petition must be calculated on the basis of one (1) vote for each child enrolled in the school.

(4) A charter school sponsor shall submit the sponsor's application for conversion to the local board of education. The local board of education shall act on the application no later than ninety (90) days after the date on which the application was submitted.

(5) If the application for conversion of an existing public school to a charter school is approved, then:

(A) The conversion must occur at the beginning of an academic school year. The converted public charter school shall be subject to compliance with this chapter;

(B) Any teacher or administrator in the converted public charter school shall be allowed to transfer into vacant positions in other schools in the LEA for which they are certified before the LEA hires new personnel to fill the vacant positions. Personnel who transfer into vacant positions in other schools in the LEA shall not suffer any impairment, interruption, or diminution of the rights and privileges of a then existing teacher or administrator, and the rights and privileges shall continue without impairment, interruption, or diminution with the local board of education. "Rights and privileges," as used in this subdivision () (4)(B), include, but are not limited to, salary, pension, or retirement benefits, sick leave accumulation, tenure, seniority, and contract rights with the local board of education. The director of schools has the option to specifically assign teachers or administrators in a converted public charter school to vacant positions in other schools in the LEA;

(C) Enrollment preference shall be given to students who reside within the former school zone of the converted public school. The enrollment preference for students who reside within the former attendance area excludes students residing within the former school zone of the converted public school from entering into a lottery;

(D) The converted public charter school may enroll students living in other school zones after students residing within the school zone have the opportunity to enroll, but only if there is

program, class, grade level, and building capacity to serve the out-of-zone students. If applications by out-of-zone students exceed the converted public charter school's capacity, then enrollment of out-of-zone students must be determined on the basis of a lottery. Out-of-zone students who attended the school during the previous school year and the siblings of students who attended may be given preference in enrollment;

(E) A parent of a child who is enrolled at the converted public school may enroll the parent's child in another public school without penalty; and

(F) The converted public charter school shall occupy the converted public school's existing facility.

(6) If the local board of education denies the application for conversion, then the decision is final and no appeal of the denial may be made.

(7) A charter agreement shall not be granted under this chapter that authorizes the conversion of any private, parochial, cyber-based, or home-based school to charter status.

SECTION 16. Tennessee Code Annotated, Section 49-13-107(a), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 17. Tennessee Code Annotated, Section 49-13-107(b), is amended by deleting the language:

On or before April 1 of the year preceding the year in which the proposed public charter school plans to begin operation, the sponsor seeking to establish a public charter school shall prepare and file with the chartering authority an application providing the following information and documents:

and substituting instead the following:

On or before February 1 of the year preceding the year in which the proposed public charter school plans to begin operation, the sponsor seeking to establish a public charter school shall prepare and file with the authorizer and the department of education an application using the application template developed by the department that provides the following information and documents:

SECTION 18. Tennessee Code Annotated, Section 49-13-107(b)(12), is amended by deleting the word "qualifications" and substituting instead the word "experience".

SECTION 19. Tennessee Code Annotated, Section 49-13-107(b)(13), is amended by deleting the language "and entities".

SECTION 20. Tennessee Code Annotated, Section 49-13-107(b)(15), is amended by deleting the word "school" and substituting instead the language "charter school".

SECTION 21. Tennessee Code Annotated, Section 49-13-107(b)(19), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 22. Tennessee Code Annotated, Section 49-13-107(d), is amended by deleting the language "LEAs" and substituting instead the word "Authorizers".

SECTION 23. Tennessee Code Annotated, Section 49-13-107(e), is amended by deleting the language "a chartering authority" and substituting instead the language "an authorizer".

SECTION 24. Tennessee Code Annotated, Section 49-13-107, is amended by adding the following language as a new subsection (c) and redesignating the existing subsections accordingly:

(c) A charter school sponsor applying to the commission to establish a public charter school shall designate in the application the LEA within which the proposed charter school will geographically locate.

SECTION 25. Tennessee Code Annotated, Section 49-13-107, is amended by adding the following language as a new, appropriately designated subsection:

() An authorizer may require a charter school sponsor to pay to the authorizer an application fee of up to two thousand five hundred dollars (\$2,500) with each charter school application the sponsor files.

SECTION 26. Tennessee Code Annotated, Section 49-13-108, is amended by deleting the section in its entirety and substituting instead the following:

(a) Charter school authorizers have the authority to approve applications to establish public charter schools and to make decisions regarding the renewal and revocation of a public charter school agreement.

(b)

(1) This section only applies to applications for new charter schools that are submitted to a local board of education or to the commission.

(2) The local board of education or the commission shall rule by resolution, at a regular or specially called meeting, to approve or deny a charter school application no later than ninety (90) days after the local board of education's or commission's receipt of the completed application. If the local board of education or the commission fails to approve or deny a charter school application within the ninety-day time period prescribed in this subdivision (b)(2), then the charter school application shall be deemed approved.

(3) The grounds upon which the local board of education or the commission based a decision to deny a charter school application must be stated in writing and must specify objective reasons for the denial. Upon receipt of the grounds for denial, the sponsor has thirty (30) days from receipt to submit an amended application to correct the deficiencies. The local board of education or the commission has sixty (60) days from receipt of an amended application to deny or to approve the amended application. If the local board of education or the commission fails to approve or deny the amended application within sixty (60) days, the amended application shall be deemed approved.

(4)

(A) Until December 31, 2020:

(i) A denial by the local board of education of an application to establish a public charter school may be appealed by the sponsor, no later than ten (10) days after the date of the final decision to deny, to the state board of education. The appeal and review process shall be conducted in accordance with this subdivision (b)(4);

(ii) No later than sixty (60) days after the state board of education receives a notice of appeal or after the state board makes a motion to review and provides reasonable public notice, the state board, at a public hearing attended by the local board or the local board's designated representative and held in the LEA in which the proposed charter school submitted the charter school application, shall conduct a de novo on the record review of the proposed charter school's application and make its findings;

(iii) The state board or the state board's executive director, acting for the state board, may allow a sponsor to make corrections to the sponsor's application on appeal, except for the elements of the application required under § 49-13-107(b)(1), (2), (4), (6), (9), (12), (13), (18), and (20);

(iv) If the application is for a charter school in an LEA that does not contain a priority school on the current or last preceding priority school list, and if the state board finds that the local board's decision was contrary to the best interests of the students, LEA, or community, then the state board shall remand the decision to the local board of education with written instructions for approval of the charter school application. The grounds upon which the state board of education based the board's decision to

remand the application must be stated in writing and must specify objective reasons for the state board's decision. The state board's decision is final and is not subject to appeal. The local board of education shall be the authorizer;

(v) If the application is for a charter school in an LEA that contains at least one (1) priority school on the current or last preceding priority school list, and if the state board finds that the local board's decision was contrary to the best interests of the students, LEA, or community, then the state board may approve the application for the charter school. The state board's decision is final and is not subject to appeal. The state board shall be the authorizer;

(B) This subdivision (b)(4) is repealed on December 31, 2020.

(c) The local board of education may consider whether the establishment of the proposed public charter school will have a substantial negative fiscal impact on the LEA such that authorization of the charter school would be contrary to the best interest of the students, LEA, or community. If a charter school application is denied under this subsection (c), then the sponsor may request a review of the fiscal impact by the department of treasury. If the department of treasury concludes that the establishment of the charter school would not have a substantial negative fiscal impact on the LEA, then the application must be sent back to the local board of education for further review, which must occur no later than thirty (30) days after the local board receives the department of treasury's decision. The local board of education shall not use substantial negative fiscal impact as a basis for any subsequent denial. If the local board of education denies the application after the application is sent back to the local board for further review, then the sponsor has the right to appeal the denial as provided in subsection (b).

(d)

(1) An authorizer may deny a charter school application if the proposed charter school plans to staff positions for teachers, administrators, ancillary support personnel, or other employees by utilizing, or otherwise relying on, nonimmigrant foreign worker H1B or J1 visa programs in excess of three and one half percent (3.5%) of the total number of positions at any single charter school location for any school year.

(2) Notwithstanding subdivision (d)(1), an authorizer shall not deny a charter school application solely because the proposed school plans to exceed the limitation in subdivision (d)(1) by employing foreign language instructors who, prior to employment, meet and, during the period for which the instructors' H1B or J1 visas have been granted, will meet all Tennessee educator licensure requirements. If an authorizer denies a charter school application under this subsection (d), then the sponsor may appeal the decision to disapprove the application as provided in subsection (b).

(e) An authorizer shall not base the authorizer's approval of a charter school application on conditions or contingencies.

(f) The state board of education shall adopt quality charter school authorizing standards based on national best practices. Authorizers shall adopt the authorizing standards approved by the state board of education.

(g) No later than ten (10) days after the approval or denial of a charter school application, the authorizer shall report to the department of education whether the authorizer approved or denied the application. The authorizer shall provide the department with a copy of the authorizer's resolution that provides the authorizer's decision and the reasons for the authorizer's decision.

SECTION 27. Tennessee Code Annotated, Section 49-13-109(b), is amended by deleting the language "A local board of education" and substituting instead the language "An authorizer".

SECTION 28. Tennessee Code Annotated, Section 49-13-110(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) An authorizer's approval of a charter school application must be in the form of a written charter agreement signed by the sponsor and the authorizer, which shall be binding upon the governing body of the public charter school. The charter agreement for a public charter school must be in writing and must contain all material components of the approved application.

SECTION 29. Tennessee Code Annotated, Section 49-13-110(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) The governing body of the public charter school may petition the authorizer to amend the original charter agreement. The state board of education shall establish timelines for amendment petitions by rule. The governing body of a public charter school may also petition the authorizer for voluntary termination of the charter school agreement before the charter agreement expires.

SECTION 30. Tennessee Code Annotated, Section 49-13-110(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c)

(1) Upon the termination of a charter school agreement and upon the closure of a public charter school for any reason, any unencumbered public funds from the public charter school revert back to the authorizer. If a charter agreement is terminated and the public charter school is closed, all LEA property and improvements, furnishings, and equipment purchased with public funds automatically revert back to the LEA, subject to complete satisfaction of any lawful liens or encumbrances.

(2) If a public charter school is closed for any reason, then the public charter school is responsible for all debts of the public charter school. The authorizer shall not assume the debt from any contract for goods or services made between the governing body of the public charter school and a third party,

except for a debt that is previously detailed and agreed upon in writing by the authorizer and the governing body of the public charter school, and that may not reasonably be assumed to have been satisfied by the authorizer.

SECTION 31. Tennessee Code Annotated, Section 49-13-110, is amended by adding the following language as new subsections (b) and (c) and redesignating the existing subsections accordingly:

(b) A charter agreement expires ten (10) years after the first day of instruction.

A public charter school may delay, for a period not to exceed one (1) academic year, the school's initial opening. If the public charter school requires a delay in the school's initial opening of more than one (1) academic year, then the school must obtain approval of the delay from the school's authorizer.

(c) A renewal of a charter agreement shall be for a period of ten (10) academic years.

SECTION 32. Tennessee Code Annotated, Section 49-13-111(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) A public charter school shall, at a minimum:

(1) Be operated by a not-for-profit organization that is exempt from federal taxation under § 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3));

(2) Operate as a public, nonsectarian, nonreligious public school, with control of instruction vested in the governing body of the school under the general supervision of the authorizer and in compliance with the charter agreement and this chapter;

(3) Meet the same performance standards and requirements adopted by the state board of education for public schools;

(4) Except as provided in § 49-13-142(d), receive state, federal, and local funds from the local board of education;

(5) Provide education services for students with disabilities, English language learners, and other students with diverse needs, in accordance with state and federal law;

(6) Administer state assessments as provided in chapter 1, part 6 of this title; and

(7) Open and operate within the jurisdictional boundaries of the authorizing local board of education or, if the charter school is authorized by the achievement school district or the commission, in the LEA in which the charter sponsor has been approved to locate.

SECTION 33. Tennessee Code Annotated, Section 49-13-111(c)(2), is amended by deleting the subdivision in its entirety.

SECTION 34. Tennessee Code Annotated, Section 49-13-111(d), is amended by deleting the subsection in its entirety and substituting instead the following:

(d) A public charter school shall be accountable to the authorizer for the purpose of ensuring compliance with the charter agreement and the requirements of this chapter. Authorizers shall enforce compliance with the requirements of this chapter.

SECTION 35. Tennessee Code Annotated, Section 49-13-111(f), is amended by deleting the subsection in its entirety.

SECTION 36. Tennessee Code Annotated, Section 49-13-111(h), is amended by adding the following language at the end of the subsection:

All information providing notice of public meetings as required under § 8-44-103 must be kept current by a public charter school on the charter school's website. The board of directors of a CMO may conduct a board meeting concerning a public charter school located in this state by teleconference, videoconference, or other electronic means in compliance with § 8-44-108, except that § 8-44-108(b)(2) and (3) shall not apply to such a meeting if a physical quorum is not present at the location stated in the notice of the meeting.

SECTION 37. Tennessee Code Annotated, Section 49-13-111(i), is amended by deleting the subsection in its entirety and substituting instead the following:

(i) All teachers in a public charter school must have a valid Tennessee educator license.

SECTION 38. Tennessee Code Annotated, Section 49-13-111(k), is amended by deleting the subsection in its entirety.

SECTION 39. Tennessee Code Annotated, Section 49-13-111(m), is amended by deleting the subsection in its entirety and substituting instead the following:

(m) A public charter school shall maintain the school's accounts and records in accordance with accounting principles generally accepted in the United States and in conformity with the uniform chart of accounts and accounting requirements prescribed by the comptroller of the treasury. The public charter school shall prepare and publish an annual financial report that encompasses all funds. The annual financial report must include the audited financial statements of the charter school.

SECTION 40. Tennessee Code Annotated, Section 49-13-111(o), is amended by deleting the subsection in its entirety and substituting instead the following:

(o) The governing body shall conduct at least one (1) annual board training course and shall provide documentation of such training to the authorizer. The training course shall be certified by the Tennessee Charter School Center and approved by the state board of education.

SECTION 41. Tennessee Code Annotated, Section 49-13-111, is amended by adding the following language as a new subsection (h) and redesignating the existing subsections accordingly:

(h) All records of a public charter school are open for personal inspection and duplication by any citizen of this state to the same extent that records of public schools operated by an LEA are open.

SECTION 42. Tennessee Code Annotated, Section 49-13-111, is amended by adding the following language as a new subsection (j) and redesignating the existing subsections accordingly:

(j) A public charter school shall follow the state board of education's rules and regulations for licensure and endorsement of employees.

SECTION 43. Tennessee Code Annotated, Section 49-13-111, is amended by adding the following language as a new, appropriately designated subsection:

() Except where waivers are otherwise prohibited in this chapter, a public charter school may apply to either the authorizer or to the commissioner of education for a waiver of any state board rule or statute that inhibits or hinders the proposed charter school's ability to meet the school's goals or comply with the school's mission statement. Neither the authorizer nor the commissioner shall waive regulatory or statutory requirements related to:

- (1) Federal and state civil rights;
- (2) Federal, state, and local health and safety;
- (3) Federal and state public records;
- (4) Immunizations;
- (5) Possession of weapons on school grounds;
- (6) Background checks and fingerprinting of personnel;
- (7) Federal and state special education services;
- (8) Student due process;
- (9) Parental rights;
- (10) Federal and state student assessment and accountability;
- (11) Open meetings; and
- (12) At least the same equivalent time of instruction as required in regular public schools.

SECTION 44. Tennessee Code Annotated, Section 49-13-112(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) The state board of education shall promulgate rules and regulations that provide for the determination of the allocation of state and local funds as provided in subsection (a) and this subsection (b). Notwithstanding § 4-5-209, any rules promulgated under this subsection (b) may be promulgated as emergency rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. At a minimum, the rules must provide that:

(1) Allocations are based on one hundred percent (100%) of state and local funds received by the LEA, including current funds allocated for capital outlay purposes, excluding the proceeds of debt obligations and associated debt service; and

(2)

(A) With the exception of the annual authorizer fees provided under this chapter, a public charter school shall not be required to pay a fee or purchase any services from the authorizer. Charter schools shall not be required to pay any fee as a condition for approval of a charter school application by the authorizer or for recommendation for approval by authorizer staff or a committee established by the authorizer for the purposes of making recommendations for charter school application decisions;

(B) A public charter school may choose to purchase services from an LEA, such as transportation or food services. In such event, the public charter school and the LEA shall execute a service contract, separate from the charter agreement, setting forth the mutual agreement of the parties concerning any service fees to be charged to the public charter school;

(C) A public charter school shall not pay any administrative fee to the authorizer for charter authorizing functions, except as provided

through the annual authorizer fees mandated or permitted by this chapter;
and

(D) If the charter agreement includes a provision whereby the authorizer will provide services for employee benefits or retirement, then the authorizer may withhold funds to cover the costs of the employee benefits or retirement services. If a services contract is executed with the authorizer, then the authorizer may withhold funds to cover the costs of the services.

SECTION 45. Tennessee Code Annotated, Section 49-13-112(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c) The department of education shall calculate and report the amount of state and local funding required under the BEP for capital outlay that each charter school should receive in a fiscal year. The LEA shall include, in the per pupil funding amount required under subsection (a), all state and local funds generated under the BEP for capital outlay that are due to public charter schools operating in the LEA.

SECTION 46. Tennessee Code Annotated, Section 49-13-112(d), is amended by deleting the subsection in its entirety.

SECTION 47. Tennessee Code Annotated, Section 49-13-112(e)(2), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 48. Tennessee Code Annotated, Section 49-13-112, is amended by adding the following language as a new subsection (b) and redesignating the existing subsections accordingly:

(b) The commission shall receive from the department or from the LEA in which the charter school is located, as appropriate, an amount equal to the per pupil state and local funds received by the department or LEA for the students enrolled in a public charter school authorized by the commission. The commission shall receive, for the charter schools the commission authorizes, all appropriate allocations of federal funds as received by other LEAs under federal law or regulation, including, but not limited to,

Title I, IDEA, and ESEA funds. All funding allocations and disbursements must be made in accordance with procedures developed by the department.

SECTION 49. Tennessee Code Annotated, Section 49-13-113(b)(4)(B), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 50. Tennessee Code Annotated, Section 49-13-113(b)(4)(E), is amended by deleting the language "residing within the LEA" and substituting instead the language "residing within the geographic boundaries of the LEA".

SECTION 51. Tennessee Code Annotated, Section 49-13-113(b)(4)(F), is amended by deleting the language "residing outside the LEA" and substituting instead the language "residing outside the geographic boundaries of the LEA".

SECTION 52. Tennessee Code Annotated, Section 49-13-113(b)(4)(D), is amended by deleting the subdivision in its entirety.

SECTION 53. Tennessee Code Annotated, Section 49-13-113(b)(5), is amended by deleting the language "teacher, sponsor, or member" and substituting instead the language "teacher or member".

SECTION 54. Tennessee Code Annotated, Section 49-13-113(b)(6), is amended by deleting the subdivision in its entirety.

SECTION 55. Tennessee Code Annotated, Section 49-13-113(b)(7), is amended by deleting the subdivision in its entirety.

SECTION 56. Tennessee Code Annotated, Section 49-13-113, is amended by adding the following language as new subsections (b) and (c) and redesignating the existing subsections accordingly:

(b) Public charter schools authorized by the commission are open to any student residing within the geographic boundaries of the LEA in which the charter school is located. A public charter school authorized by the commission may enroll students residing outside the geographic boundaries of the LEA in which the charter school is located pursuant to the commission's out-of-district enrollment policy and in compliance with §§ 49-6-3003 and 49-6-403(f).

(c) A public charter school authorized by a local board of education may enroll students residing outside the geographic boundaries of the LEA in which the charter school is located pursuant to the LEA out-of-district enrollment policy and in compliance with §§ 49-6-3003 and 49-6-403(f).

SECTION 57. Tennessee Code Annotated, Section 49-13-113, is amended by adding the following as a new, appropriately designated subsection:

() Public charter schools authorized by the achievement school district (ASD) shall conduct an initial student application period of at least thirty (30) days. During this period, all students zoned to attend or currently enrolled in a school that is eligible to be placed in the ASD may enroll. If, at the end of the initial student enrollment period, the number of eligible students seeking to enroll does not exceed the charter school's capacity or the capacity of a program, class, grade level, or building, then the charter school may enroll additional students residing within the geographic boundaries of the LEA in which the charter school is located; provided, however, that a public charter school's total enrollment of such students shall not exceed twenty-five percent (25%) of the charter school's total enrollment.

SECTION 58. Tennessee Code Annotated, Section 49-13-114(a), is amended by deleting the language "the LEA" wherever it appears and substituting instead the language "an LEA".

SECTION 59. Tennessee Code Annotated, Section 49-13-114(a), is amended by deleting the language "in which the school is located".

SECTION 60. Tennessee Code Annotated, Section 49-13-114(b), is amended by deleting the language "outside the district" and substituting instead the language "outside the geographic boundaries of the LEA in which the charter school is located".

SECTION 61. Tennessee Code Annotated, Section 49-13-114(d), is amended by deleting the language "LEA in which the school is located" and substituting instead the word "authorizer".

SECTION 62. Tennessee Code Annotated, Section 49-13-114(d), is amended by adding the language "they authorize" after the word "schools" and before the period ".".

SECTION 63. Tennessee Code Annotated, Section 49-13-114, is amended by deleting the word "pupil" and substituting instead the word "student" and deleting the word "pupils" wherever it appears and substituting instead the word "students".

SECTION 64. Tennessee Code Annotated, Section 49-13-116(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) The department of education shall provide information to the public on how to form and operate a public charter school. This information must include a standard application format, which must include the information specified in § 49-13-107.

SECTION 65. Tennessee Code Annotated, Section 49-13-116(b), is amended by deleting the word "state".

SECTION 66. Tennessee Code Annotated, Section 49-13-116(b), is amended by deleting the language "granted by type of school" and substituting instead the word "approved".

SECTION 67. Tennessee Code Annotated, Section 49-13-117(d), is amended by deleting the subsection in its entirety and substituting instead the following:

(d) This section applies to charter schools authorized pursuant to this chapter.

SECTION 68. Tennessee Code Annotated, Section 49-13-118(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) This section applies to charter schools for which the state board of education is the authorizer.

SECTION 69. Tennessee Code Annotated, Section 49-13-118(b), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 70. Tennessee Code Annotated, Section 49-13-118(c), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 71. Tennessee Code Annotated, Section 49-13-118, is amended by adding the following as a new, appropriately designated subsection:

() This section is repealed on July 1, 2021.

SECTION 72. Tennessee Code Annotated, Section 49-13-119, is amended by adding the following language at the end of the section:

Public charter schools authorized by the achievement school district or the commission are entitled to participate in the state group insurance plans selected by the governing body of the public charter school in accordance with § 8-27-303.

SECTION 73. Tennessee Code Annotated, Section 49-13-120(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) The governing body of the public charter school shall make an annual progress report to the authorizer and to the commissioner of education. The report must contain the following information:

(1) The progress of the public charter school towards achieving the goals outlined in the school's charter agreement;

(2) Financial records of the public charter school, including revenues and expenditures; and

(3) A detailed accounting, including the amounts and sources, of all funds received by the public charter school, other than the funds received under § 49-13-112(a).

SECTION 74. Tennessee Code Annotated, Section 49-13-120(b), is amended by deleting the language "education committee of the senate and the education administration and planning committee of the house of representatives" and substituting instead the language "education committees of the senate and the house of representatives".

SECTION 75. Tennessee Code Annotated, Section 49-13-120(c), is amended by deleting the subsection in its entirety.

SECTION 76. Tennessee Code Annotated, Section 49-13-120(d), is amended by deleting the language "each chartering authority shall submit to the department of education an annual authorizing report" and substituting instead the language "each authorizer shall submit an annual authorizing report to the department of education and state board of education".

SECTION 77. Tennessee Code Annotated, Section 49-13-120(d)(2), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 78. Tennessee Code Annotated, Section 49-13-121, is amended by deleting the section in its entirety and substituting instead the following:

(a) No later than April 1 of the year prior to the year in which the charter expires, the governing body of a public charter school shall submit a renewal application to the charter school's authorizer on the standardized application form developed by the department of education.

(b) A charter school renewal application must contain a report of the school's operations, including students' standardized test scores, financial statements, and performance audits for the eight (8) years immediately preceding the date of the renewal application.

(c) Three (3) months prior to the date on which a charter school is required to submit a renewal application, the authorizer shall submit to the charter school a performance report that reflects the renewal evaluation.

(d) On or before the February 1 immediately following the three-month period specified in subsection (c), the charter school's authorizer shall rule by resolution to approve or deny the charter school's renewal application. The authorizer shall consider the renewal application, the annual progress reports required under § 49-13-120, and the renewal performance report required under subsection (b) when deciding whether to approve or deny the charter school's renewal application.

(e)

(1) Until December 31, 2020:

(A) A local board of education's decision to deny a renewal application may be appealed by the governing body to the state board of education no later than ten (10) days after the date of the local board's decision;

(B) If the state board finds that the local board of education's decision to deny renewal of a charter agreement is contrary to the best interest of the students, LEA, or community, and the renewal application is for a charter school in an LEA that does not contain a school on the current or last preceding priority school list, then the state board shall remand the decision to the local board of education with written instructions for approval of the renewal application. The local board of education shall remain the authorizer;

(C) If the state board finds that the local board of education's decision not to renew a charter agreement was contrary to the best interests of the students, LEA, or community, and the renewal application is for a charter school in an LEA that contains at least one (1) school on the current or last preceding priority school list, then the state board shall approve the renewal application and the state board shall be the authorizer; and

(D) A decision by the state board to deny the renewal of a charter agreement is final and is not subject to appeal.

(2) This subsection (e) is repealed on December 31, 2020.

(f) Beginning on January 1, 2021:

(1) A local board of education's decision to deny a renewal application may be appealed by the governing body to the commission no later than ten (10) days after the date of the local board's decision;

(2) If the commission finds that the local board of education's decision to deny renewal of a charter agreement is contrary to the best interest of the students, LEA, or community, then the commission shall approve the renewal application and the commission shall become the authorizer. A decision by the commission to deny the renewal of a charter agreement is final and is not subject to appeal; and

(3) If the commission approves the renewal of a charter agreement on appeal from a local board of education, then the charter school and the commission shall enter into a renewal charter agreement in accordance with § 49-13-110(a).

(g) If a charter school renewal application is approved, then the term of the renewed charter agreement shall be for ten (10) academic years.

(h) A decision to deny renewal of a charter agreement becomes effective at the close of the school year.

(i) No later than ten (10) days after an authorizer adopts a resolution to renew or deny renewal of a charter agreement, the authorizer shall report the authorizer's decision to the department of education and shall provide a copy of the resolution that sets forth the authorizer's decision and the reasons for the decision.

(j) If a public charter school voluntarily closes, then the school's charter agreement with the authorizer ceases to be effective as of the charter school's closing date.

(k) The authorizer shall conduct an interim review of a charter school in the fifth year of a charter school's initial period of operation and in the fifth year following any renewal of a charter agreement under guidelines developed by the department of education. The guidelines must require a charter school to submit a report to the authorizer on the progress of the school in achieving the goals and objectives of the school, including student performance and other terms of the approved charter agreement.

SECTION 79. Tennessee Code Annotated, Section 49-13-122(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a)

(1) An authorizer may revoke a public charter school agreement if the public charter school receives identification as a priority school, as defined by the state's accountability system pursuant to § 49-1-602, for 2017 or any year

thereafter. The revocation takes effect immediately following the close of the school year in which the school is identified as a priority school. The authorizer shall provide written notification of the decision to the charter school governing body. No other action is required by the authorizer.

(2) If the authorizer does not revoke a public charter school agreement after a public charter school is identified as a priority school, then the public charter school must develop and implement a comprehensive support and improvement plan pursuant to § 49-1-602(b)(6).

(3) An authorizer shall revoke a public charter school agreement if the public charter school receives identification as a priority school for two (2) consecutive cycles beginning in 2017. The revocation takes effect immediately following the close of the school year in which the school is identified as a priority school for the second consecutive cycle. The authorizer shall provide written notification of the decision to the charter school governing body. No other action is required by the authorizer.

(4) The revocation of a public charter school agreement under subdivisions (a)(1) or (a)(3) is final and is not subject to appeal. A public charter school that is scheduled to close under this subsection (a) is entitled to a review by the department of education to verify the accuracy of the data used to identify the school as a priority school.

(5) This subsection (a) does not prohibit an authorizer from revoking a charter agreement of a charter school that fails to meet the minimum performance requirements set forth in the charter agreement.

SECTION 80. Tennessee Code Annotated, Section 49-13-122(b), is amended by deleting the language "revoked at any time or not renewed by the final chartering authority if the chartering authority" and substituting instead the language "revoked at any time by the authorizer if the authorizer".

SECTION 81. Tennessee Code Annotated, Section 49-13-122(c), is amended by deleting the language "LEA" wherever it appears and substituting instead the word "authorizer".

SECTION 82. Tennessee Code Annotated, Section 49-13-122, is amended by deleting subsections (d)-(h) in their entirety and substituting instead the following:

(d) If the authorizer revokes a charter agreement, then the authorizer shall clearly state in writing the reasons for the revocation.

(e) No later than ten (10) days after an authorizer adopts a resolution to revoke a charter agreement, the authorizer shall report the authorizer's decision to the department of education and shall provide a copy of the resolution that sets forth the authorizer's decision and the reasons for the decision.

(f)

(1) Until December 31, 2020, a local board of education's decision to revoke a charter agreement may be appealed to the state board of education no later than ten (10) days after the date of the local board's decision, except for revocations based on the violations specified in subsection (a). No later than sixty (60) days after the state board receives a notice of appeal and after the state board provides reasonable public notice, the state board, at a public hearing attended by the local board or the local board's designated representative and held in the LEA in which the charter school has been operating, shall conduct a de novo on the record review of the authorizer's decision. In order to overturn a local board of education's decision to revoke a charter agreement, the state board must find that the local board's decision was contrary to § 49-13-122. If the state board overturns the local board of education's decision to revoke a charter agreement, then the state board shall remand the decision to the local board of education and the local board of education shall remain the authorizer. The decision of the state board is final and is not subject to appeal. This subsection (f) only applies to decisions to

revoke a charter agreement for which the local board of education is the authorizer.

(2) This subsection (f) is repealed on December 21, 2020.

(g)

(1) Beginning on January 1, 2021, a decision to revoke a charter agreement may be appealed to the commission no later than ten (10) days after the date of the decision, except for revocations based on the violations specified in subsection (a). No later than sixty (60) days after the commission receives notice of appeal and after the commission provides reasonable public notice, the commission, at a public hearing attended by the local board or the local board's designated representative and held in the LEA in which the charter school has been operating, shall conduct a de novo on the record review of the local board's decision. In order to overturn a local board of education's decision to revoke a charter agreement, the commission must find that such decision was contrary to § 49-13-122. If the commission overturns the local board of education's decision to revoke a charter agreement, then the commission shall remand the decision to the local board of education and the local board of education shall remain the authorizer. The commission's decision is final and is not subject to appeal.

(2) This subsection (g) only applies to decisions to revoke a charter agreement for which the local board of education is the authorizer.

(h) Except in the case of fraud, misappropriation of funds, flagrant disregard of the charter agreement, or similar misconduct, a decision to revoke a charter agreement becomes effective at the close of the school year.

SECTION 83. Tennessee Code Annotated, Section 49-13-123, is amended by deleting the section in its entirety.

SECTION 84. Tennessee Code Annotated, Section 49-13-124(b), is amended by deleting the language "chartering authority" and substituting instead the language "authorizer".

SECTION 85. Tennessee Code Annotated, Section 49-13-126, is amended by deleting the section in its entirety and substituting instead the following:

(a) The state board of education is authorized to promulgate rules for the administration of this chapter. Rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(b) Notwithstanding any other provision of this chapter to the contrary, the commissioner of education shall promulgate rules and procedures for the authorization of charter schools by the achievement school district pursuant to this chapter. Rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 86. Tennessee Code Annotated, Section 49-13-128(a), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 87. Tennessee Code Annotated, Section 49-13-128(c), is amended by deleting the first and second sentences.

SECTION 88. Tennessee Code Annotated, Section 49-13-128, is amended by adding the following as new subsections:

(d) If the achievement school district (ASD) authorizes a charter school under § 49-1-614, then the ASD must receive an annual authorizer fee of up to three percent (3%) of the charter school's per pupil state and local funding as allocated under § 49-13-112(a). By May 1 of each year, the commissioner shall set the percentage of a charter school's per pupil state and local funding that the ASD must receive as the annual authorizer fee for the next school year.

(e) If the commission authorizes a charter school under this chapter, then the commission must receive an annual authorizer fee of up to three percent (3%) of the charter school's per pupil state and local funding as allocated under § 49-13-112(a). By May 1 of each year, the commission or the commission's designee shall set the percentage of a charter school's per student state and local funding that the commission shall receive as the annual authorizer fee for the next school year. Notwithstanding

subsection (d), the commission may use the commission's annual authorizer fee to fulfill obligations consistent with the authority of the commission as set forth in this chapter.

(f) By December 1 of each year, each LEA that collects an annual authorizer fee shall report the total amount of authorizer fees collected in the previous school year and the authorizing obligations fulfilled using the fee to the department of education. The department shall create a standard document for the purposes of this report and shall post the information on the department's website.

SECTION 89. Tennessee Code Annotated, Section 49-13-130, is amended by deleting the language "The chartering authority" wherever it appears and substituting instead the language "Each authorizer".

SECTION 90. Tennessee Code Annotated, Section 49-13-130(2), is amended by deleting the language "a chartering authority's" and substituting instead the language "an authorizer's".

SECTION 91. Tennessee Code Annotated, Section 49-13-130, is amended by deleting the language "chartering authority" wherever it appears and substituting instead the word "authorizer".

SECTION 92. Tennessee Code Annotated, Section 49-13-130(4), is amended by deleting the subdivision in its entirety and substituting instead the following:

(4) When a public charter school agreement has been denied renewal or revoked, the public charter school shall not enroll any new students. If the denial of renewal or revocation is overturned on appeal pursuant to § 49-13-122, then the public charter school may continue to enroll students;

SECTION 93. Tennessee Code Annotated, Section 49-13-130(6), is amended by deleting the language "§ 49-13-122(g)" and substituting instead the language "§ 49-13-122(h)".

SECTION 94. Tennessee Code Annotated, Section 49-13-131, is amended by deleting the section in its entirety.

SECTION 95. Tennessee Code Annotated, Section 49-13-132, is amended by deleting the language "a chartering authority" and substituting instead the language "an authorizer".

SECTION 96. Tennessee Code Annotated, Section 49-13-132, is amended by deleting the language "in the district, an LEA" and substituting instead the language "within the geographic boundaries of the LEA, the LEA".

SECTION 97. Tennessee Code Annotated, Section 49-13-133, is amended by deleting the section in its entirety.

SECTION 98. Tennessee Code Annotated, Section 49-13-136(f), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer".

SECTION 99. Tennessee Code Annotated, Section 49-13-136(f), is amended by deleting the language "§ 49-13-121(a)(1)" and substituting instead the language "§ 49-13-110(b)".

SECTION 100. Tennessee Code Annotated, Section 49-13-138, is amended by deleting the section in its entirety.

SECTION 101. Tennessee Code Annotated, Section 49-13-139, is amended by deleting the section in its entirety.

SECTION 102. Tennessee Code Annotated, Section 49-13-140, is amended by deleting the section in its entirety.

SECTION 103. Tennessee Code Annotated, Section 49-13-141, is amended by deleting the section in its entirety and substituting instead the following:

Notwithstanding any law to the contrary, an LEA may be the sponsor of a charter school.

If an LEA sponsors a charter school, then the commission serves as the authorizer.

SECTION 104. Tennessee Code Annotated, Section 49-13-142(b)(2), is amended by deleting the language "chartering authority" and substituting instead the word "authorizer" and by deleting the language "§ 49-13-121(b)" and substituting instead the language "§ 49-13-121".

SECTION 105. Tennessee Code Annotated, Section 49-13-142, is amended by adding the following as new subsections:

(h)

(1) On July 1, 2021, all charter agreements for which the state board of education is the authorizer will be transferred, for the remainder of the unexpired

term of the charter agreement, to the commission on documentation of mutual agreement to the transfer executed by the charter school governing body and the commission.

(2) Documentation of mutual agreement must be in the form of a written agreement between the charter school governing body and the commission. The agreement must include any modification or amendment of the charter agreement as may be mutually agreed upon by the charter school governing body and the commission.

(3) On July 1, 2021, subject to documentation of mutual agreement, the commission shall assume all rights under charter agreements authorized by the state board of education.

(4) The state board shall transfer to the commission all student records and charter school performance data collected and maintained in the performance of the state board's duties as an authorizer.

(5) The commission, in consultation with a charter school governing body operating under a charter agreement to be transferred under this subsection (h), shall provide for timely notification of the transfer of the charter agreement and any modifications or amendments to the charter agreement that are included in the written agreement executed under subdivision (h)(3) to parents of students enrolled in a charter school affected by the transfer.

(6) If a charter school governing body and the commission cannot reach a mutual agreement no later than sixty (60) days after July 1, 2021, then the charter agreement authorized by the state board of education terminates on August 31, 2021.

(i) Subsections (a)-(g) are repealed on August 1, 2021.

SECTION 106. Tennessee Code Annotated, Section 49-13-143(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) Authorizers may develop and adopt a performance framework for all schools authorized for operation, including both charter and non-charter public schools. If an authorizer has not adopted a performance framework for all of the authorizer's schools, then it must adopt a performance framework aligned to the model performance framework developed by the department of education for the department's charter schools.

SECTION 107. Tennessee Code Annotated, Title 49, Chapter 13, is amended by adding the following as a new, appropriately designated section:

(a) The state board of education shall ensure the effective operation of authorizers in this state and shall evaluate authorizer quality.

(b) In order to evaluate authorizer quality, the state board of education is authorized to conduct periodic evaluations of authorizers to determine authorizer compliance with the requirements of this chapter and with the rules and regulations of the state board of education, and to ensure alignment with the state board's quality authorizing standards.

(c)

(1) If the state board finds that an authorizer is not in compliance with the requirements of this chapter, the rules and regulations of the state board, or the state board's quality authorizing standards, then the state board shall provide the authorizer with written notification of the authorizer's noncompliance.

(2) The authorizer shall respond to the written notification no later than ten (10) business days after the date of the written notification and shall remedy the authorizer's noncompliance within the timeframe determined by the state board of education. An authorizer's failure to remedy the authorizer's noncompliance may result in a reduction of the authorizer fee, as determined by the state board of education.

(d) The state board of education is authorized to promulgate rules to effectuate the provisions of this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 2.

SECTION 108. Tennessee Code Annotated, Section 49-13-107(c), is amended by deleting the language "§ 49-13-122" and substituting instead the language "§ 49-13-121".

SECTION 109. This act shall take effect upon becoming a law, the public welfare requiring it.